

EXHIBIT 12

From: [Christopher Greene](#)
To: eli.f.mosley@gmail.com
Cc: [Roberta Kaplan](#); [Julie Fink](#); [Gabrielle E. Tenzer](#); [Karen Dunn](#); [Jessica Phillips](#); [Levine, Alan](#); [Mills, David](#); [Bowman, Philip M.](#)
Subject: Sines v. Kessler
Date: Tuesday, November 27, 2018 6:56:46 PM
Attachments: [2018.11.13 379 Order re Pltfs Motion to Compel to Permit Inspection.pdf](#)

Mr. Kline,

Plaintiffs have subpoenaed Discord for communications related to Plaintiffs' claims against Defendants in this action. Accordingly, we request that you send the below consent by e-mail to SCA@bsfllp.com for each Discord account that you used to communicate concerning the Events, as that term is defined in Plaintiffs' First Requests for Production of Documents, dated January 25, 2018. This includes, but is not limited to, any Discord account you identified in response to Plaintiffs' Interrogatory No. 1 to Defendants. As you know, Judge Hoppe has already ordered all Defendants who appeared at the November 9, 2018 conference to provide such consent. (ECF No. 379; Order attached.) Other Defendants have complied with the Court's order and provided the consent. Plaintiffs therefore request that you provide the consent without the necessity of Court intervention.

The consent e-mail must be sent from the e-mail address that you used to initially set up their Discord user account. For the avoidance of doubt, it does not matter if your Discord user account has been deleted.

Plaintiffs request that you send the below consent email to SCA@bsfllp.com no later than Friday, November 30.

Regards,

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I, [type your name here], am the sole accountholder for the Discord account associated with the username [insert] and the email address [fill in your email address here], from which I am sending this email.

Pursuant to the Stored Communications Act, 18 U.S.C. § 2702(b)(3), I expressly consent to Discord producing all records and contents of communications associated with the account referenced above, including without limitation all messages and posts regardless of their privacy settings and all communications and messages that are presently active and that may be restored in the future.

I understand and consent that Discord will disclose the records and contents to the legal team for Plaintiffs in the lawsuit Sines, et al. v. Kessler, et al., Case No. 3:17cv-00072, which is currently ongoing in the United States District Court for the Western District of Virginia. I understand and

agree that Discord will not search, filter, or limit the records or content in any way before producing them. I understand that after disclosing the information, Discord cannot control how the records and content are used and whether the records and content are further disclosed, which may include being filed in the public record.

I indemnify Discord, Inc., and its parents, subsidiaries, affiliates, officers, contractors, and employees against all claims for damages, compensation, and/or costs brought by any party with respect to damage or loss caused by, or arising out of, or being incidental to the above-referenced disclosure of records or contents of communications. I release any claims I may have against Discord, Inc., or its parents, subsidiaries, affiliates, officers, and employees for damages, compensation, and/or costs with respect to damage or loss caused by, or arising out of, or being incidental to the above-referenced disclosure of records or contents of communications.